

REMARKS

Claims 15-29 and 31-35 are pending. Claims 19, 21, 22, 24, 31, and 32 are withdrawn. By this Amendment, claims 15 and 28 are amended and no new claims are added.

Applicant respectfully thanks the Examiner for the teleconference of June 17, 2010. Claim amendments as well as the Roth reference were discussed. No agreement was reached as to the allowability of any claims.

Claim Rejections – 35 USC § 103

Claims 15-18, 20, 23, 27-29, 33, 34, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartel (U.S. 3,133,717) in view of Roth (U.S. 1,743,074). Claims 15-18, 20, 23, 27-29, 33, 34, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Labrecque (U.S. 3,430,896) in view of Roth (U.S. 1,743,074).

Applicant respectfully traverses. As admitted by the Examiner, neither Hartel nor Labrecque teach the “separate part.” Roth is relied upon by the Examiner for support for the rejection regarding the separate part that closes the gap between tire and rim. Roth discloses a spoked wheel which is entirely different to that used on modern retractable landing gear. Significant structural change would be required to make the disclosure of Roth work on a modern deployable landing gear.

Specifically to claims 15 and 28, the separate part of Roth is a rubber lip. Roth has spokes inside a metallic disk section 26 and 27. The annular rubber lip 36 extends from a channel set within the disk section. There is no tire and rim junction disclosed in Roth due to the spoke structure so the rubber lip fails to read on the placement limitation.

With respect to the wheel/tire assembly of the present claims, Roth has a central opening 29 and a frustoconical disc section 28. Roth includes an opening for the hub thus not providing a smooth surface across the wheel.

With respect to the limitations of the separate part, Roth discloses a rubber lip that has a tapered outer edge that remotely contacts the tire. There is no disclosure regarding an element that “fills” the gap. Instead, Roth simply extends from the disk to cover a portion of the spoke structure.

Even if it was thought to use the rubber lip 36 of Roth, it is not obvious how such a rubber lip could be attached to the landing gears of Hartel and Labrecque. Neither reference has an obvious location to attach the rubber lip. In Roth, the rubber lip 36 is secured in a channel member 32 and this channel member is secured to metallic disc 26 by rivets 38. However, neither of Hartel and Labrecque have any kind of disc provided on the side of the wheels that could be used to attach a rubber lip or channel member to.

In order to advance prosecution, applicant has amended independent claims 15 and 28 to more clearly distinguish the current claim set from the prior art. Applicant respectfully requests removal of those rejections. As the remaining claims all depend from claim 28, those respective rejections should also be removed.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Thomas G. Dickson
Registration No. 51,616

Customer No. 24113
Patterson Thuente Christensen Pedersen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: 612.349.3004